

MINUTES
MANHATTAN URBAN AREA PLANNING BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
Monday, May 16, 2005
7:00 p.m.

MEMBERS PRESENT: George Ham, Chairperson; Mike Toy; Jerry Reynard; Mike Hill; Loren Pepperd; Mike Kratochvil.

MEMBERS ABSENT: None.

STAFF PRESENT: Eric Cattell, Assistant Director for Planning; Steve Zilkie, Senior Planner; Cam Moeller, Planner; Rob Ott, Assistant Director of Public Works.

OPEN PUBLIC COMMENTS

Ham opened and closed Open Public Comments with no one speaking.

CONSENT AGENDA

1. APPROVE THE MINUTES OF THE MAY 2, 2005, MANHATTAN URBAN AREA PLANNING BOARD MEETING.

Toy moved to approve the minutes. Pepperd seconded the motion, which passed on a vote of 6-0.

GENERAL AGENDA

1. A PUBLIC HEARING TO CONSIDER THE REZONING OF LOT 2, STREETER SUBDIVISION, UNIT 2, FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO PUD, RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPOSED PUD WILL CONSIST OF TEN (10) SINGLE-FAMILY DWELLING UNITS ON PROPERTY LOCATED NORTHEAST OF THE INTERSECTION OF CASEMENT ROAD AND KNOX LANE. (APPLICANT/OWNER: JESSE PLATT) (NOTE: THIS ITEM WAS TABLED BY THE PLANNING BOARD AT THE MAY 2, 2005, MEETING.)

Hill moved to remove the item from the table. Reynard seconded the motion, which passed on a vote of 6-0.

Zilkie presented the Staff Report, recommending approval.

Pepperd said the flood plain map used by the applicant was outdated. Zilkie said that could be corrected with the Final Development Plan.

Ham questioned whether the narrow tract of land directly to the east could be

developed in the future.

Ham opened the Public Hearing.

Jesse Platt (2112 Casement), the applicant, said he is pursuing this housing development for incoming military. Platt said he will rent out the homes in the foreseeable future but could sell the lots at some point.

Carol Mushero (127 Knox Lane) said she owns the property to the east. Mushero said she would rather not see Lot 10 developed, and would at least like to see something put in to provide more privacy.

Pepperd asked if she had any plans to develop her tract. Mushero said she had none at this time.

Ham closed the Public Hearing.

Kratochvil commended the applicant for the plan but had two concerns. First, Kratochvil shared Mushero's concern about privacy and suggested a privacy fence be provided on the east side of the development. Kratochvil said his bigger concern had to do with the flat grade and the fact that it does not drain well in that area. Kratochvil said he had an issue with the grassy drainage swale.

Reynard said he had several nagging problems. Reynard said he felt the design of the development was trying to squeeze too much into a small area. Reynard said he would like to see the site re-designed, to take out a lot or two, and to provide a little more open space. Reynard said he agreed with Kratochvil, that he would like to see a privacy fence added.

Pepperd said many lots within the older neighborhoods are of a similar size to what is being proposed. Pepperd said the problem in Manhattan is a scarcity of land and a scarcity of housing. Pepperd said he didn't know that a fence would do any good because it could be taken down in five to ten years.

Reynard said they could make the fence part of the PUD.

Toy said he agreed that there should be some type of privacy fence. Toy said the use of modular/manufactured homes is a good idea. With respect to the number of lots, Toy said he defers to the judgment of city staff as to whether this will cause a problem. Toy said he supported the project overall.

Hill said he agreed that a privacy fence is needed. Hill said that while he does not normally like to see concrete used for drainage, it looks like a wise decision in this particular case. As far as the proximity of the house on Lot 10 to the property to the east, Hill noted that a typical side yard setback is eight feet, and this would be similar. Hill suggested an alternate configuration for the driveway and building footprint on Lot 7.

Kratochvil questioned the irrigation requirement. Zilkie said irrigation would be a hose, not underground irrigation.

Platt responded to some of the concerns that had been raised. Platt said he originally had planned to put in a privacy fence but decided to remove it because he did not want the development to “look like a fort”. Platt said he would be willing to put in a fence. Platt said he also decided against a concrete drainage ditch for aesthetic reasons.

Ham asked what controls the City has to ensure that the drainage ditch is maintained and kept clear. Zilkie referred to the conditions of approval recommended in the Staff Report, which places responsibility on the property owner(s) to maintain the drainage easements.

Ott provided background on previous discussions that had taken place between the applicant and the City related to drainage issues. Ott and the Board discussed the drainage report submitted by the applicant, and Ott described how the run-off would be directed off the site.

Kratochvil moved that the Board recommend approval of the proposed rezoning, with the conditions recommended in the Staff Report, and with the additional conditions that there be a privacy fence on the east and north sides of the development, and that the applicant negotiate a landscape plan with City Staff to address the provision of trees on the east and north sides.

Pepperd said he did not see the need for a privacy fence on the north side.

Mushero informed the Board that there are existing trees on the property line.

Hill asked Mushero if she preferred a privacy fence or the existing trees as a screening element. Mushero said she did not want to see the trees removed.

There was no second to the motion.

Pepperd asked about storm drains. Ott noted that the drainage report recommended a concrete flume. Ott discussed drainage on Casement Road.

Pepperd moved that the Board recommend approval of the proposed rezoning of the Platt Addition from R-1, Single-Family Residential District, to Residential Planned Unit Development District, with the five conditions in the Staff Report and an additional condition:

1. Permitted uses shall be limited to the ten (10) single-family dwelling units.
2. Landscaping and irrigation shall be provided pursuant to a Landscaping Performance Agreement between the City and the owner, which shall be entered into prior to issuance of a building permit.
3. All landscaping and irrigation shall be maintained in good condition.
4. Signs shall allow for exempt signage described in Article VI, Section 6-

104 (A)(1), (2), (4), (7) and (8); and, Section 6-104 (B) (2).

5. Drainage easements in the Platt Addition shall be privately maintained by the property owner, or owners, who shall be responsible for maintaining the easement to remain free and clear of any improvement, debris, structure, or any other type of obstacle, natural or manmade, that would impede flow of surface water run-off.
6. The drainage swales shall be concrete-lined as per the recommendation in the Drainage Report submitted with the application.

Toy proposed a friendly amendment that a privacy fence be added to the east side of the development.

Hill questioned how the privacy fence could fit between the existing trees. Toy withdrew the friendly amendment.

Kratochvil seconded the motion.

Hill proposed a friendly amendment that if the applicant wants to investigate the use of an underground storm sewer as an alternative to, or in combination with concrete liners, then that would be an option. Pepperd accepted the friendly amendment.

Reynard asked whether it was too late for the Board to table the item and have the applicant's engineer clarify the drainage issues. Zilkie said the Board had that option.

On a vote, the motion as amended by Hill, passed 5-1 (Reynard voting against).

2. REPORTS AND COMMENTS BY BOARD MEMBERS.

There was no further business and the meeting was adjourned.

Respectfully submitted,

Cam Moeller, Planner